

Last revised 8/1/15

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY**

In Re:

JOYCE CHAMBERS

Case No.: 14-29390

Judge: CMG

Chapter: 13

Debtor(s)

Chapter 13 Plan and Motions

2nd

☐ Original

☒ Modified/Notice Required

☒ Discharge Sought

☐ Motions Included

☐ Modified/No Notice Required

☐ No Discharge Sought

Date: 8/23/16

THE DEBTOR HAS FILED FOR RELIEF UNDER
CHAPTER 13 OF THE BANKRUPTCY CODE

YOUR RIGHTS WILL BE AFFECTED

You should have received from the court a separate *Notice of the Hearing on Confirmation of Plan*, which contains the date of the confirmation hearing on the Plan proposed by the Debtor. This document is the actual Plan proposed by the Debtor to adjust debts. You should read these papers carefully and discuss them with your attorney. Anyone who wishes to oppose any provision of this Plan or any motion included in it must file a written objection within the time frame stated in the Notice. **This Plan may be confirmed and become binding, and included motions may be granted without further notice or hearing, unless written objection is filed before the deadline stated in the Notice.**

**YOU SHOULD FILE A PROOF OF CLAIM BY THE DEADLINE STATED
IN THE NOTICE TO RECEIVE DISTRIBUTIONS UNDER ANY PLAN
THAT MAY BE CONFIRMED, EVEN IF THE PLAN REFERS TO YOUR CLAIM**

Part 1: Payment and Length of Plan

a. The debtor shall pay \$ 2,290 per month to the Chapter 13 Trustee, starting on 9/1/16 for approximately 38 months. (\$49,130 paid to date)

b. The debtor shall make plan payments to the Trustee from the following sources:

☒ Future earnings

☐ Other sources of funding (describe source, amount and date when funds are available):

c. Use of real property to satisfy plan obligations:

- ☐ Sale of real property

Description:

Proposed date for completion: _____

- ☐ Refinance of real property:

Description:

Proposed date for completion: _____

- ☐ Loan modification with respect to mortgage encumbering property:

Description:

Proposed date for completion: _____

- d. ☐ The regular monthly mortgage payment will continue pending the sale, refinance or loan modification.

- e. ☐ Other information that may be important relating to the payment and length of plan:

Part 2: Adequate Protection

a. Adequate protection payments will be made in the amount of \$ _____ to be paid to the Chapter 13 Trustee and disbursed pre-confirmation to _____ (creditor).

b. Adequate protection payments will be made in the amount of \$ _____ to be paid directly by the debtor(s) outside the Plan, pre-confirmation to: _____ (creditor).

Part 3: Priority Claims (Including Administrative Expenses)

All allowed priority claims will be paid in full unless the creditor agrees otherwise:

Creditor	Type of Priority	Amount to be Paid
Steven N. Taieb, Esq.	Administrative Priority Counsel Claim	\$800

Part 4: Secured Claims

a. Curing Default and Maintaining Payments

The Debtor shall pay to the Trustee (as part of the Plan) allowed claims for arrearages on monthly obligations and the debtor shall pay directly to the creditor (outside the Plan) monthly obligations due after the bankruptcy filing as follows:

Creditor	Collateral or Type of Debt	Arrearage	Interest Rate on Arrearage	Amount to be Paid to Creditor (In Plan)	Regular Monthly Payment (Outside Plan)
Cenlar	100 Irick Road Westampton, NJ	\$25,535.04 pre-petition \$6,078.72 post-petition		\$25,535.04 pre-petition \$6,078.72 post-petition	\$2,686.67

b. Modification

1.) The debtor values collateral as indicated below. If the claim may be modified under Section 1322(b)(2), the secured creditor shall be paid the amount listed as the "Value of the Creditor Interest in Collateral," plus interest as stated. The portion of any allowed claim that exceeds that value shall be treated as an unsecured claim. If a secured claim is identified as having "NO VALUE" it shall be treated as an unsecured claim.

NOTE: A modification under this Section ALSO REQUIRES the appropriate motion to be filed under Section 7 of the Plan.

Creditor	Collateral	Scheduled Debt	Total Collateral Value	Superior Liens	Value of Creditor Interest in Collateral	Annual Interest Rate	Total Amount to be Paid

2.) Where the Debtor retains collateral and completes the Plan, payment of the full amount of the allowed secured claim shall discharge the corresponding lien.

c. Surrender

Upon confirmation, the stay is terminated as to surrendered collateral. The Debtor surrenders the following collateral:

Creditor	Collateral to be Surrendered	Value of Surrendered Collateral	Remaining Unsecured Debt

d. Secured Claims Unaffected by the Plan

The following secured claims are unaffected by the Plan:

Wells Fargo - current outside the plan on
2nd mortgage

e. Secured Claims to be Paid in Full Through the Plan:

Creditor	Collateral	Total Amount to be Paid Through the Plan
BMW Financial	2011 BMW 750	Payoff of \$12,255.03

Part 5: Unsecured Claims

a. Not separately classified allowed non-priority unsecured claims shall be paid:

- ☐ Not less than \$ _____ to be distributed *pro rata*
- ☒ Not less than _____ 100 _____ percent
- ☐ *Pro Rata* distribution from any remaining funds

b. Separately classified unsecured claims shall be treated as follows:

Creditor	Basis For Separate Classification	Treatment	Amount to be Paid

Part 6: Executory Contracts and Unexpired Leases

All executory contracts and unexpired leases are rejected, except the following, which are assumed:

Creditor	Nature of Contract or Lease	Treatment by Debtor

Part 7: Motions

NOTE: All plans containing motions must be served on all potentially affected creditors, together with local form, *Notice of Chapter 13 Plan Transmittal*, within the time and in the manner set forth in D.N.J. LBR 3015-1. A *Certification of Service* must be filed with the Clerk of Court when the plan and transmittal notice are served.

a. Motion to Avoid Liens Under 11. U.S.C. Section 522(f).

The Debtor moves to avoid the following liens that impair exemptions:

Creditor	Nature of Collateral	Type of Lien	Amount of Lien	Value of Collateral	Amount of Claimed Exemption	Sum of All Other Liens Against the Property	Amount of Lien to be Avoided

b. Motion to Avoid Liens and Reclassify Claim From Secured to Completely Unsecured.

The Debtor moves to reclassify the following claims as unsecured and to void liens on collateral consistent with Part 4 above:

Creditor	Collateral	Amount of Lien to be Reclassified

c. Motion to Partially Void Liens and Reclassify Underlying Claims as Partially Secured and Partially Unsecured.

The Debtor moves to reclassify the following claims as partially secured and partially unsecured, and to void liens on collateral consistent with Part 4 above:

Creditor	Collateral	Amount to be Deemed Secured	Amount to be Reclassified as Unsecured

Part 8: Other Plan Provisions

a. Vesting of Property of the Estate

- ☒ Upon confirmation
☐ Upon discharge

b. Payment Notices

Creditors and Lessors provided for in Parts 4, 6 or 7 may continue to mail customary notices or coupons to the Debtor notwithstanding the automatic stay.

c. Order of Distribution

The Trustee shall pay allowed claims in the following order:

- 1) Trustee commissions
- 2) Administrative Priority Claims
- 3) Secured Claims
- 4) Unsecured Claims

d. Post-Petition Claims

The Trustee ☒ is, ☐ is not authorized to pay post-petition claims filed pursuant to 11 U.S.C. Section 1305(a) in the amount filed by the post-petition claimant.

Part 9: Modification

If this Plan modifies a Plan previously filed in this case, complete the information below.

Date of Plan being Modified: 7/21/16.

Explain below **why** the plan is being modified:

Pursuant to Order Resolving Motion to Vacate Stay

Explain below **how** the plan is being modified:

Adjusting amount of post-petition arrears pursuant to Amended Order

Are Schedules I and J being filed simultaneously with this Modified Plan? ☐ Yes ☒ No

Part 10: Sign Here

The Debtor(s) and the attorney for the Debtor (if any) must sign this Plan.

Date: 8/31/16

/s/Steven N. Taieb, Esquire
Attorney for the Debtor

I certify under penalty of perjury that the above is true.

Date: _____

/s/ Joyce Chambers
Debtor

Date: _____

Joint Debtor

Certificate of Notice Page 8 of 9
 United States Bankruptcy Court
 District of New Jersey

In re:
 Joyce Chambers
 Debtor

Case No. 14-29390-CMG
 Chapter 13

CERTIFICATE OF NOTICE

District/off: 0312-3

User: admin
 Form ID: pdf901

Page 1 of 2
 Total Noticed: 31

Date Rcvd: Aug 31, 2016

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Sep 02, 2016.

db +Joyce Chambers, 100 Irick Road, Westampton, NJ 08060-3780
 cr +BMW Bank of North America, Ascension Capital Group, Inc., PO Box 201347,
 Arlington, TX 76006-1347
 515061983 American Express, PO Box 981537, El Paso, TX 79998-1537
 515178785 American Express Bank, FSB, c/o Becket and Lee LLP, POB 3001, Malvern, PA 19355-0701
 515061984 ++BANK OF AMERICA, PO BOX 982238, EL PASO TX 79998-2238
 (address filed with court: Bank of America, PO Box 982235, El Paso, TX 79998-2235)
 515137904 +BMW Bank of North America, PO Box 23356, Pittsburgh, PA 15222-6356
 515311773 +BMW Bank of North America, P.O. Box 201347, Arlington, TX 76006-1347
 515061986 BMW Group Financial, PO Box 3608, Dublin, OH 43016-0306
 515061985 +Barclays Bank DE, PO Box 8803, Wilmington, DE 19899-8803
 515061987 Cenlar Federal Savings, 425 Phillips Blvd, Ewing, NJ 08618-1430
 515061988 Comenity HSN, PO Box 182120, Columbus, OH 43218-2120
 515272595 ECAST SETTLEMENT CORPORATION, ASSIGNEE, OF CITIBANK, N.A., POB 29262,
 NEW YORK, NY 10087-9262
 515082058 +FIA CARD SERVICES, N.A., P O Box 982284, El Paso, TX 79998-2284
 515284427 +Police & Firemens Retirement System Board of Trust, & Mortgage Finance Agency, Cenlar FSB,
 425 Phillips Boulevard, Ewing, NJ 08618-1430
 515061992 +Sears CBNA, PO Box 6497, Sioux Falls, SD 57117-6497
 515061993 Universal CBNA, PO Box 6241, Sioux Falls, SD 57117-6241
 515061994 Wells Fargo, PO Box 14517, Des Moines, IA 50306-3517
 515200974 +Wells Fargo Bank, NA, Home Equity Group, 1 Home Campus MAC X2303-01A,
 Des Moines, IA 50328-0001
 515285865 +Wells Fargo Card Services, 1 Home Campus 3rd Floor, Des Moines, IA 50328-0001
 515061995 +Wells Fargo Home Equity, PO Box 31557, Billings, MT 59107-1557

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
 smg E-mail/Text: usanj.njbankr@usdoj.gov Aug 31 2016 23:33:05 U.S. Attorney, 970 Broad St.,
 Room 502, Rodino Federal Bldg., Newark, NJ 07102-2534

smg +E-mail/Text: ustpregion03.ne.ecf@usdoj.gov Aug 31 2016 23:33:02 United States Trustee,
 Office of the United States Trustee, 1085 Raymond Blvd., One Newark Center, Suite 2100,
 Newark, NJ 07102-5235
 515073048 +E-mail/PDF: ebnnotices@ascensioncapitalgroup.com Aug 31 2016 23:36:16
 Ascension Capital Group, Attn: BMW Bank of North America Dept, P.O. Box 201347,
 Arlington, TX 76006-1347
 515071750 +E-mail/PDF: ais.bmw.ebn@americaninfosource.com Aug 31 2016 23:29:30
 BMW Bank of North America, 5550 Britton Parkway, Hilliard, OH 43026-7456
 515310402 E-mail/PDF: ais.bmw.ebn@americaninfosource.com Aug 31 2016 23:29:41
 BMW Financial Services NA, LLC, P.O. Box 3608, Dublin, OH 43016
 515061989 E-mail/Text: mrdiscen@discover.com Aug 31 2016 23:32:25 Discover Bank, PO Box 15316,
 Wilmington, DE 19850-5316
 515100893 E-mail/Text: mrdiscen@discover.com Aug 31 2016 23:32:25 Discover Bank,
 DB Servicing Corporation, PO Box 3025, New Albany, OH 43054-3025
 515061990 E-mail/PDF: gecsedirecoverycorp.com Aug 31 2016 23:29:27 GECRB QVC, PO Box 965018,
 Orlando, FL 32896-5018
 515061991 E-mail/PDF: gecsedirecoverycorp.com Aug 31 2016 23:29:12 Lowes GECRB, PO Box 965005,
 Orlando, FL 32896-5005
 515208580 E-mail/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com Aug 31 2016 23:29:10
 Portfolio Recovery Associates, LLC, c/o Lowes, POB 41067, Norfolk VA 23541
 515208545 E-mail/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com Aug 31 2016 23:29:40
 Portfolio Recovery Associates, LLC, c/o Lowes Visa Rewards, POB 41067, Norfolk VA 23541
 TOTAL: 11

***** BYPASSED RECIPIENTS *****

NONE.

TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
 USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

Addresses marked '++' were redirected to the recipient's preferred mailing address
 pursuant to 11 U.S.C. 342(f)/Fed.R.Bank.PR.2002(g)(4).

District/off: 0312-3

User: admin
Form ID: pdf901

Page 2 of 2
Total Noticed: 31

Date Rcvd: Aug 31, 2016

***** BYPASSED RECIPIENTS (continued) *****

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Sep 02, 2016

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on August 31, 2016 at the address(es) listed below:

Albert Russo on behalf of Trustee Albert Russo docs@russotrustee.com
Albert Russo docs@russotrustee.com
Denise E. Carlon on behalf of Creditor Police & Firemens Retirement System Board of Trustees
by its Administrative Agency New Jersey Housing & Mortgage Finance Agency
bankruptcynotice@zuckergoldberg.com, bkgroup@kmlawgroup.com
Joshua I. Goldman on behalf of Creditor Police & Firemens Retirement System Board of Trustees
by its Administrative Agency New Jersey Housing & Mortgage Finance Agency
jgoldman@kmlawgroup.com, bkgroup@kmlawgroup.com
Steven N. Taieb on behalf of Debtor Joyce Chambers staieb@comcast.net

TOTAL: 5